

REMARKS

This Amendment is in response to the Office Action of January 15, 2004, in which the Examiner made certain technical objections to claim 1. With the exception to objection no. 3, on page 2 of the Office Action, the technical objections have been addressed. The Applicant has revised claim 1, line 14, to show a “;”, which is believed to be appropriate.

The claims have been rejected as unpatentable over McClung et al., in view of prior art noted by the Applicant and De Marchi. Applicant has amended claim 1 in order to specifically recite that the corner-covering element is inserted in the groove after the step for applying the thermoformable coating. It is believed that this sequence clearly distinguishes the claim subject matter from the cited references. Indeed, Applicant's representative contacted the Examiner shortly after receiving the Office Action, in order to obtain clarification on this point. The Examiner indicated that if we recite that the insertion step occurs after the application of the thermoformable material, such a recitation would distinguish the invention over De Marchi. The Examiner, however, indicated that in addition to such limitation, it might require an additional search. However, Applicant believes that the Amendment merely clarifies what was set forth in the previous Office Action and what was discussed in the Remarks portion thereof. Specifically, at pages 5 and 6 of the Remarks, Applicant states that the bottom edge of the panel is machined in order to remove the bottom corner and to create a groove. Thereafter, a coating of thermoformed material is formed on the top side and bottom surfaces of the panel. A unitary corner-covering element is formed or milled and has a bottom edge which corresponds with the bottom edge of the panel. Thereafter, the corner-covering element is inserted in the groove.

The Examiner indicates that the claim order does not exclude applying the thermoformable surface after removing the material from the bottom corner and replacing it with a shaped corner-covering element. The Applicant respectfully disagrees. The claims as presented and the discussion thereof militates against such an interpretation. In particular, in view of the explanation in the Remarks portion of the prior Amendment, and inasmuch as the sequence, which is believed to be inherent in claim 1, has not been reiterated in any of the dependent claims, the asserted sequence is believed to be the only reasonable interpretation of the claim. It is also believed that the claim language should be interpreted as suggested by Applicant's representative herein, because the step of applying the thermoformable material occurs after the milling step and up to at least as far as the mill edge. The insertion step occurs so that the corner-covering element is flush with the bottom and side without milling,

subsequent to inserting a corner-covering element in the groove. It is therefore believed that the sequence noted by the Examiner is excluded. Inasmuch as only one milling step is noted, it is believed that the claim can be interpreted in only one way.

The claim has been amended in order to make this point clear.

Claim 9 has been amended in order to recite the structure in its ordered sequence of assembly, because that sequence results in the claimed structure.

It should also be noted that the Examiner uses a sequence of assembly essentially rejected by the Applicant, in order to make the combination in rejecting the claims. De Marchi clearly shows the laminated material going beyond the edge of the insert. The present invention is clearly different in that the corner-covering element is flush with the bottom and sides without milling. However, as noted above, the milling step occurs before the thermoformable coating is applied to the bottom and sides of the panel up to at least the milled edge. During the telephone conference, the Examiner interpreted the language "at least" to mean that the thermoformable material may extend beyond the milled edge. The claim language is meant to convey the idea that the thermoformable material is positioned so that it does not fall short of the milled edge, and when the corner-covering element is installed, it is flush with the bottom and sides without milling subsequent to the insertion step. In effect, the thermoformable material is co-terminus with the milled edge.

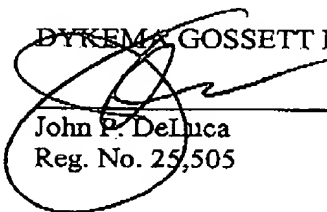
The Applicant would be willing to delete the language "at least" in claims 1 and 9, although this is not believed to be strictly speaking necessary.

In view of the foregoing, it is respectfully requested that the Examiner reconsider her rejection of the claims, the allowance in which is earnestly solicited.

The Commissioner is authorized to charge Deposit Account No. 04-2223 for fees, which may be required in this matter or credit any overpayment thereto.

Respectfully submitted

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